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INFORMAL PAPER, NOT TO BE FILED.
TO FORM THE BASIS OF A TELEPHONE INTERVIEW.

Applicant : David G. Bird
Serial No. : 08/862,039
Filed : May 22, 1997
For : LOCATION OF MISSING VEHICLES
Group : 3642
Examiner : Theodore Blum

1185 Avenue of the Americas
New York, NY 10036
(212) 278-0400
September 21, 1998

RE: Final Office Action Mailed September 2, 1998

REMARKS

We believe that there is a patentable distinction between the present invention substantially as defined in the rejected claims and the prior art and that all that is necessary to place the application in condition for allowance is to find language for the independent rejected claims that properly reflects the distinction.

The Office Action states in section 7 that the communication device 23, 25 of Song (USP 5,208,756) is "separate" from the paging request responder 28.

However, Fig. 2 shows that 23, 25 and 28 are all part

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of the mobile telephone 27. See also patent column 7, lines 45-47.

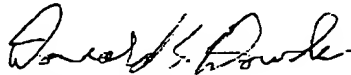
Song does not disclose a separate paging system. The so-called paging signal is merely a ringing signal for the mobile telephone 27. See patent column 7, lines 48 and 61-64.

As the basis for a telephone interview, please consider whether the invention would be adequately distinguished from Song by inserting --and operable independently of-- after "separate from" in the next-to-last line of claim 28.

Even if, as the Office Action suggests, items 23, 25 and 28 of Song are separate parts of the mobile telephone 27, they operate together as a single unit rather than independently to transmit a fix, as required by the amended claimed language proposed above.

Undersigned counsel would appreciate a call at (212)278-0400 at the Examiner's convenience.

Respectfully submitted,
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